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ZONING CHANGE REVIEW SHEET

CASE: C14-2014-0157
(8528 Burnet Road)

P.C. DATE: December 9, 2014

ADDRESS: 8528-8600 Burnet Road/8647 Rockwood Lane

OWNER/APPLICANT: Robert L. Crump and Gordon Automotive (Charles M. Gordon)

AGENT: Bowman Consulting Group (R. Dave Irish, P.E.)

ZONING FROM: CS **TO:** MF-6-CO* **AREA:** 2.79 acres

*On October 29, 2014, the applicants amended the rezoning application to add the following conditions to their request: 1) To limit the height on the property to 60 feet, 2) to state that 15% of the multi-family dwelling units shall be reserved for SMART Housing (Please see SMART Housing Certification Letter – Attachment B) and 3) to limit the number of units to 300 residential units on the site (Please see Amendment Request Letters – Attachment A).

SUMMARY STAFF RECOMMENDATION:

The staff's recommendation is for MF-6-CO, Multi-family Residence-Highest Density-Conditional Overlay Combining District, zoning. The conditional overlay will limit the height on the property to 60 feet, limit the number of units to 300 residential units and limit the development intensity for the entire site to less than 2,000 vehicle trips per day.

PLANNING COMMISSION RECOMMENDATION:

DEPARTMENT COMMENTS:

The property in question is currently developed with an automotive dealership and a plumbing supply company. The applicants are requesting MF-6 zoning at this location because they would like to redevelop the site with approximately 300 multifamily residential units. They are offering a conditional overlay to limit the height on the property to 60 feet (current height allowed under the existing CS district zoning), to state that 15% of the multi-family dwelling units shall be reserved for SMART Housing and to limit the number of residential units on the site to a maximum of 300 units.

The staff recommends MF-6-CO district zoning at this location because the property meets the intent of the Multi-family Residence-Highest Density district as this tract of land fronts onto Burnet Road, an arterial roadway and a designated Core Transit Corridor. MF-6 zoning is consistent with the adjacent uses as there are multifamily residential developments to the west (Rockwood Apartments). The property is surrounded commercial zoning, with CS district zoning to the north, south and west. This applicant's request is a down zoning of the property to a less intensive zoning district. The proposed MF-6 zoning will permit the applicant to redevelop this site with a multifamily uses that will provide for a mixture of housing opportunities in this area of the city.

The applicant agrees with the staff's recommendation.

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EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	CS	Automotive Sales (Gordon Automotive), Construction Sales and Services (Crump Plumbing Supply)
<i>North</i>	CS	Restaurant (Waterloo Ice House), Retail Center (Adventure Five Institute, Taco Cabana Restaurant, Austin Access Care, etc.)
<i>South</i>	CS	Driveway, Indoor Entertainment (Slick Willy's Family Pool Hall)
<i>East</i>	CS, CS-NP	General Retail Sales Convenience (Gas Pipe), Restaurant (P. Terry's)
<i>West</i>	MF-4	Multifamily (Rockwood Apartments)

AREA STUDY: Burnet Road, Anderson Lane and the North Shoal Creek Neighborhood Planning Area

TIA: Waived

WATERSHED: Shoal Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: N/A

HILL COUNTRY ROADWAY: N/A

NEIGHBORHOOD ORGANIZATIONS:

Austin Heritage Tree Foundation
Austin Independent School District
Austin Neighborhoods Council
Bike Austin
Friends of the Emma Barrientos MACC
Friends of North Shoal Creek
Homeless Neighborhood Association
North Austin Neighborhood Alliance
North Shoal Creek Neighborhood Association
SELTEXAS
Sierra Club, Austin Regional Group
Super Duper Neighborhood Objectors and Appealers Organization
Sustainable Neighborhoods
The Real Estate Council of Austin, Inc.
Wooten Neighborhood Association
Wooten Neighborhood Plan Contact Team

SCHOOLS:

Pillow Elementary School
Burnet Middle School
Anderson High School

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CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2011-0167 (8100 Burnet)	CS to MF-6	3/06/12: Approved the staff's recommendation for MF-6-CO zoning, with CO to limit the height on the property to 60 feet and restrict the site to a maximum of 300 residential units, (5-1, J. Meeker-No, B. Baker-absent); G. Bourgeios-1 st , C. Banks-2 nd .	4/05/12 : Approved MF-6-CO on first reading (7-0); B. Spelman-1 st , M. Martinez-2 nd . 4/01/13: Case expired per LDC Sec. 25-2-246.
C14-2008-0032 (North Shoal Creek Planning Area Vertical Mixed Use)	Add V (Vertical Mixed Use Building Combining District) to Certain Tracts	5/13/08: Approved neighborhood's rec. to implement V regulations on selected tracts (9-0)	7/10/08: Approved V (7-0); 1 st reading 8/28/08: Approved V by Ordinance No. 20080828-104 (7-0); 2 nd /3 rd readings
C14-02-0086 (Tara's Beauty Salon: 2204 W. Anderson Lane)	SF-3 to GR-MU	7/23/02: Approved staff rec. of GR-MU by consent (7-0)	8/08/02: Approved GR-MU (6-0); 1 st reading 8/22/02: Approved GR-MU (7-0); 2 nd /3 rd readings

RELATED CASES: N/A

ABUTTING STREETS:

Name	ROW	Pavement	Classification	ADT
Burnet Road	Varies	MAD-4	Major Arterial	30,269
Rockwood Lane	60'	37'	Collector	3,483

CITY COUNCIL DATE: January 29, 2015

ACTION:

ORDINANCE READINGS: 1st

2nd

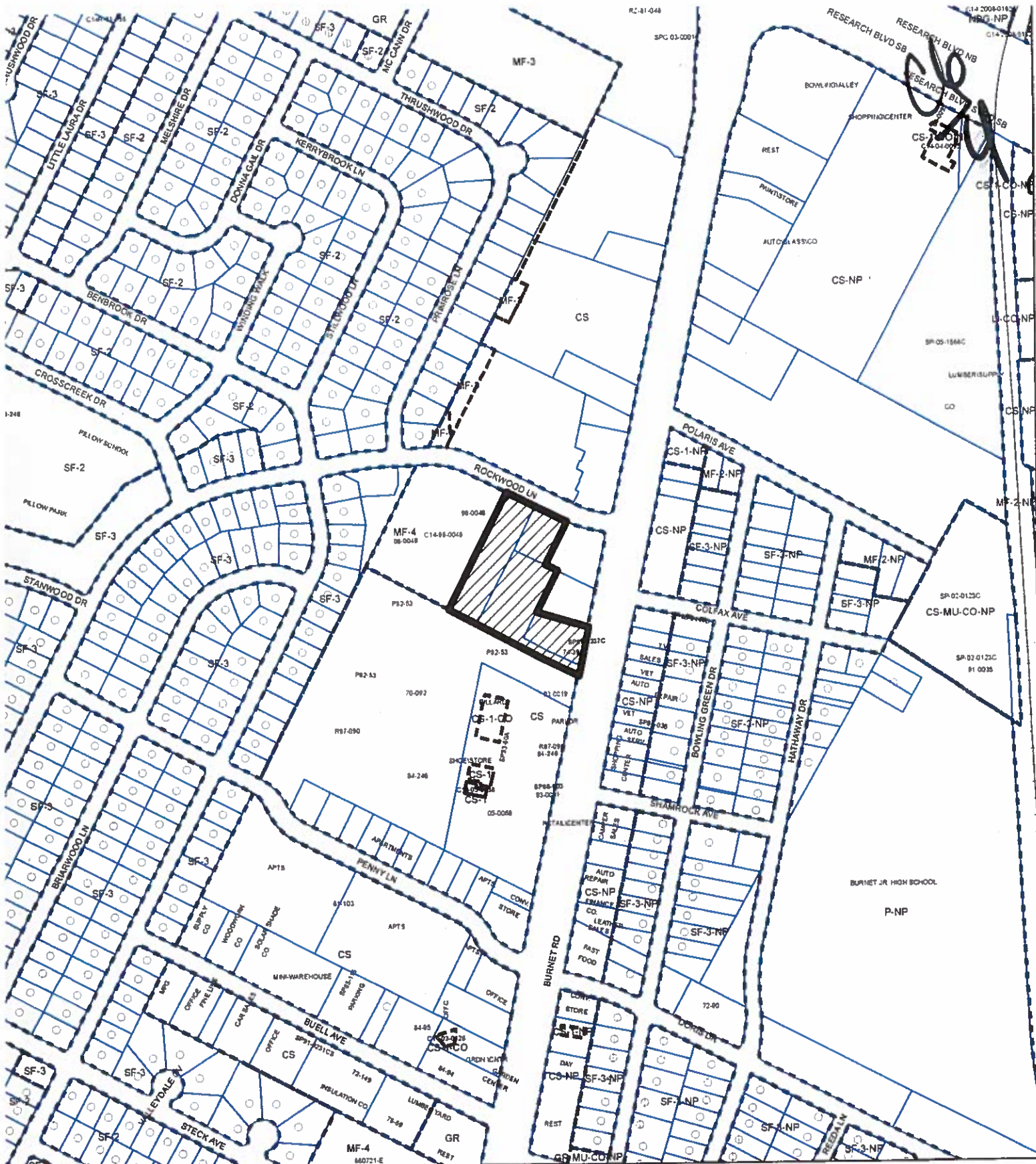
3rd

ORDINANCE NUMBER:

CASE MANAGER: Sherri Sirwaitis





PHONE: 512-974-3057

E-mail: sherri.sirwaitis@austintexas.gov



ZONING

ZONING CASE#: C14-2014-0157

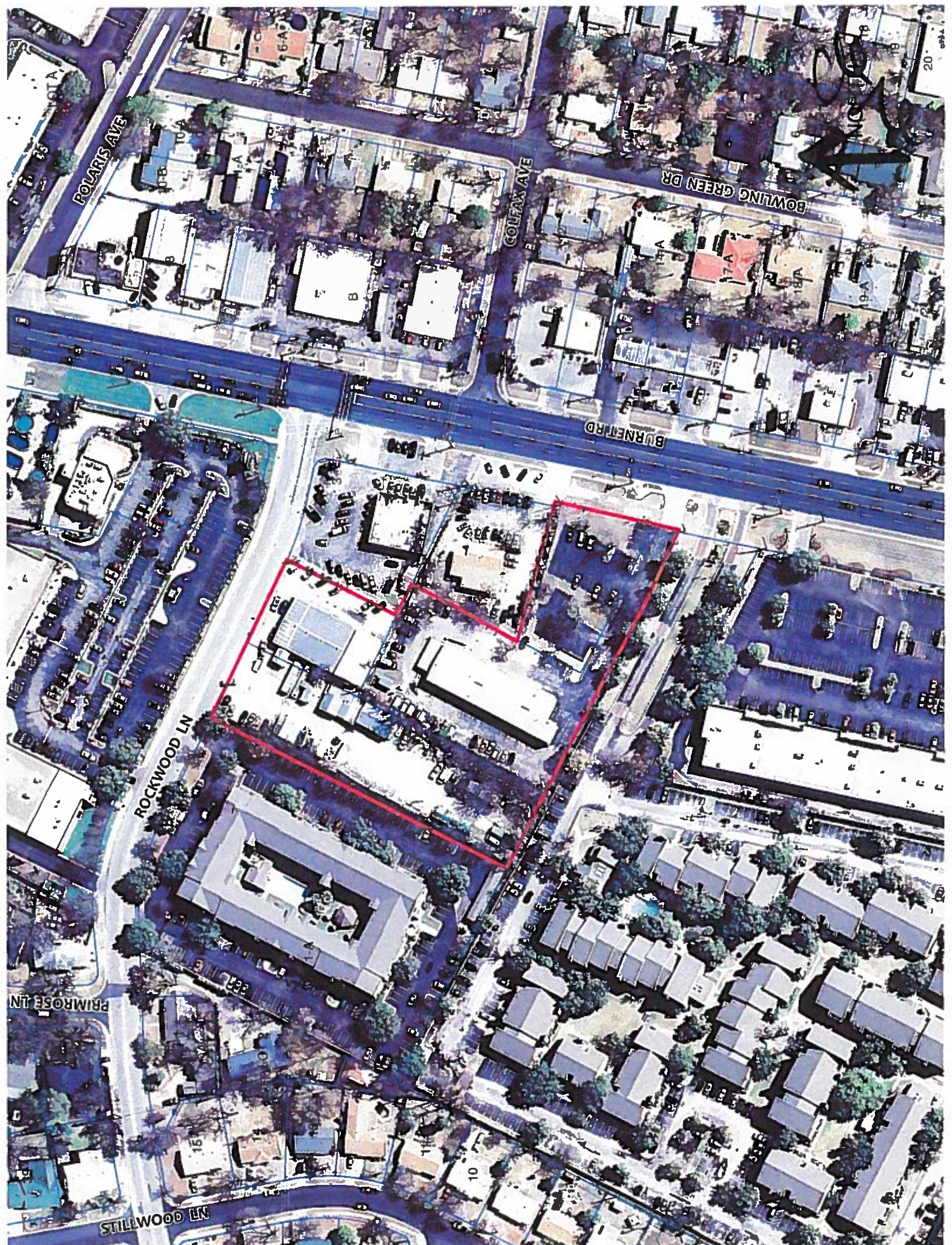
-  N
-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

1" = 400'

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.





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STAFF RECOMMENDATION

The staff's recommendation is for MF-6-CO, Multi-family Residence-Highest Density-Conditional Overlay Combining District, zoning. The conditional overlay will limit the height on the property to 60 feet, limit the number of units to 300 residential units and limit the development intensity for the entire site to less than 2,000 vehicle trips per day.

BASIS FOR RECOMMENDATION (ZONING PRINCIPLES):

1. *The proposed zoning should be is consistent with the purpose statement of the district sought.*

Multifamily residence highest density (MF-6) district is the designation for multifamily and group residential use. An MF-6 district designation may be applied to a use in a centrally located area near supporting transportation and commercial facilities, an area adjacent to the central business district or a major institutional or employment center, or an area for which the high density multifamily use is desired.

2. *The proposed zoning should promote consistency and orderly planning.*

The proposed zoning is consistent with the adjacent uses as there is a multifamily residential development to the west (Rockwood Apartments). The property is surrounded by commercial zoning, with CS district zoning to the north and south and CS-NP zoning, across Burnet Road to the east.

3. *Zoning should allow for reasonable use of the property.*

MF-6-CO zoning will permit the applicant to redevelop this site with a multifamily uses that will provide for a mixture of housing opportunities in this area of the city. The case is consistent with the goals of the Imagine Austin Comprehensive Plan as it is located on Burnet Road, a designated Activity Corridor.

EXISTING CONDITIONS

Site Characteristics

The site under consideration currently developed with an automotive sales use (Gordon Automotive) and a construction sales and services business (Crump Plumbing Supply).

Comprehensive Planning

CS to MF-6

This zoning case is located on the south side of Rockwood Lane, approximately 225 ft. west of Burnet Road. The property is approximately 2.79 acres in size and contains a plumbing supply business. It is also located within the boundaries of a planning area without an adopted neighborhood plan (the North Shoal Creek NPA.) Surrounding land uses include a shopping center to the north, apartments and a shopping center to the south, a brewpub and catering business to the east, and apartments to the west. The proposed use is 300 unit multi-story apartment building.

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Imagine Austin

The Imagine Austin Growth Concept Map, found in the Imagine Austin Comprehensive Plan (IACP) identifies this project as being located just to the west of an **Activity Corridor (Burnet Road)**. Activity Corridors are characterized by a variety of activities and types of buildings located along the roadway — shopping, restaurants and cafés, parks, schools, single-family houses, **apartments**, public buildings, houses of worship, mixed-use buildings, and offices. Based on this project providing additional multi-family apartments to the area and being adjacent to an Activity Corridor, this case is appears to be consistent with Imagine Austin.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Shoal Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.

Zoning district impervious cover limits apply in the Urban Watershed classification.

According to floodplain maps there is no floodplain within or adjacent to the project location.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

Trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 512-974-1876. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

This site is required to provide on-site water quality controls (or payment in lieu of) for all development and/or redevelopment when 8,000 s.f. cumulative is exceeded, and on site control for the two-year storm.

At this time, no information has been provided as to whether this property has any preexisting approvals that preempt current water quality or Code requirements.

Hill Country Roadway

The site is not within a Hill Country Roadway Corridor.

Impervious Cover

The maximum impervious cover allowed by the MF-6 zoning district would be 80%. However, because the watershed impervious cover is more restrictive than the zoning district's allowable impervious cover, the impervious cover is limited by the watershed regulations.

Zoning district impervious cover limits apply in the Urban Watershed classification.

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Site Plan

FYI--This area is located in the North Shoal Creek Neighborhood Planning area, which is in process but has not yet been adopted. Existing zoning controls.

No apparent compatibility conflicts. There is residential zoning within 540 feet of this property but it is far enough away that the maximum building height under MF-6 (90') will not be in conflict with compatibility requirements.

At the time of site plan, Commercial Design Standards will be required as part of compliance. Burnet Road is an Urban Roadway at this location.

Stormwater Detention

At the time a final subdivision plat, subdivision construction plans, or site plan is submitted, the developer must demonstrate that the proposed development will not result in additional identifiable flooding of other property. Any increase in stormwater runoff will be mitigated through on-site stormwater detention ponds, or participation in the City of Austin Regional Stormwater Management Program if available.

Transportation

No additional right-of-way is needed at this time.

A traffic impact analysis was waived for this case because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day. [LDC, 25-6-117]

Burnet Road is classified in the Bicycle Plan as Bike Route No. 437. Rockwood Lane is classified in the Bicycle Plan as Bike Route No. 316.

Capital Metro bus service (Rapid Route No. 803) is available along Burnet Road.

There are existing sidewalks along Burnet Road and the north side of Rockwood Lane.

The Neighborhood Connectivity Division of Public Works may provide additional comments regarding mobility enhancement and pedestrian facilities.

This case is being evaluated by the Bike Program Division with the Austin Transportation Dept. Additional comments may be generated.

Existing Street Characteristics:

Name	ROW	Pavement	Classification	ADT
Burnet Road	Varies	MAD-4	Major Arterial	30,269
Rockwood Lane	60'	37'	Collector	3,483

Water and Wastewater

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FYI: The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, water or wastewater easements, utility relocations and or abandonments required by the proposed land use. Depending on the development plans submitted, water and or wastewater service extension requests may be required. Water and wastewater utility plans must be reviewed and approved by the Austin Water Utility for compliance with City criteria and suitability for operation and maintenance. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

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October 29, 2014

Delivered via e-mail

Sherri Sirwaitis, Case Manager
City of Austin – Planning and Development Review Department
One Texas Center
505 Barton Springs Rd.
Austin, TX 78704

RE: Amendment Request for Zoning Case Number C14-2014-0157
 8647 Rockwood Lane & 8528 Burnet Road

Ms. Sirwaitis,

On behalf of the applicants, Mr. Robert Lee Crump and Mr. Charles Mitchell Gordon, we hereby request that the subject zoning application be amended to include the following qualifications:

1. Height is limited to 60 feet
2. 15% of the multi-family dwelling units shall be reserved for SMART Housing

Please call me at 512.327.1180 if you have any questions or require additional information.

Regards,



Bill Gabler, P.E.
Senior Project Manager

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October 30, 2014

Delivered via e-mail

Sherri Sirwaitis, Case Manager
City of Austin – Planning and Development Review Department
One Texas Center
505 Barton Springs Rd.
Austin, TX 78704

RE: Amendment Request for Zoning Case Number C14-2014-0157
8647 Rockwood Lane & 8528 Burnet Road

Ms. Sirwaitis,

On behalf of the applicants, Mr. Robert Lee Crump and Mr. Charles Mitchell Gordon, we hereby request that the subject zoning application be amended to include a conditional overlay limiting the number of units to 300 residential units.

Please call me at 512.327.1180 if you have any questions or require additional information.

Regards,



Bill Gabler, P.E.
Senior Project Manager



City of Austin

P.O. Box 1088, Austin, TX 78767
www.cityofaustin.org/housing

Neighborhood Housing and Community Development Department

November 4, 2014

S.M.A.R.T. Housing Certification

Fremont Holdings, LLC- Burnet Road Development (project id #65770)

TO WHOM IT MAY CONCERN:

Fremont Holdings, LLC (development contact Carter Sackman, (561-789-6915 (o); cj.sackman@sackman.com) is planning to develop a 300 unit multi-family development near the intersection of Rockwood Lane & Burnet Road. The property is located in the North Shoal Creek neighborhood planning area at this time.

NHCD certifies that the proposed construction meets the S.M.A.R.T. Housing standards at the pre-submittal stage. Because 15% of the units in this development will serve households with incomes at or below 80% of Austin's Median Family Income level (MFI), the development is eligible for a waiver of 25% of the fees listed in the S.M.A.R.T. Housing Ordinance adopted by the City Council. Expected fee waivers include, but are not limited to, the following fees:

Capital Recovery Fees	Site Plan Review	Zoning Verification
Building Permit	Misc. Site Plan Fee	Parkland Dedication (<i>b</i>)
Concrete Permit	Building Plan Review	<i>separate ordinance</i>)
Electrical Permit	Construction Inspection	Land Status Determination
Mechanical Permit	Misc. Subdivision Fee	Plumbing Permit

Prior to issuance of building permits and starting construction, the developer must:

- ◆ Obtain a signed Conditional Approval from the Austin Energy Green Building Program stating that the plans and specifications for the proposed development meet the criteria for a Green Building Rating. (Austin Energy: Katherine Murray at 512-482-5351).
- ◆ Submit plans demonstrating compliance with accessibility standards.

Before a Certificate of Occupancy will be granted, the development must:

- ◆ Pass a final inspection and obtain a signed Final Approval from the Green Building Program. (Separate from any other inspections required by the City of Austin or Austin Energy).
- ◆ Pass a final inspection to certify that accessibility standards have been met.

The applicant must demonstrate compliance with S.M.A.R.T. Housing standards after the completion of the units, or repay the City of Austin in full the fees waived for this S.M.A.R.T. Housing certification.

Please contact me at 974-3154 if you need additional information.

Javier V. Delgado
 Neighborhood Housing and Community Development

Cc. Jaune Shaw, Cap Metro
 Maureen Meredith, PDRD
 M. Simon-Smith, PDRD
 Steve Castberry, PDRD

José Roig, PDRD
 A. Linsaisen, PDR D
 A. Molicie, PDRD
 R. Jenkins, WWW Taps

S. Siervanus, PDRD
 John McDonald, PDR D
 Kath. Murray, AEGB
 Chris Yanez, PARD

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:
<http://www.austintexas.gov/development>.

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2014-0157

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: Dec 9, 2014, Planning Commission

Jan 29, 2015, City Council

John Key
Your Name (please print)

☐ I am in favor
☒ I object

8505 Stillwood Ln

Your address(es) affected by this application

11.17.14
Date

[Signature]
Signature

Daytime Telephone: 512-393-4770

Comments: IF it is low income affordable housing
then absolutely, YES!

IF it will be high dollar, nice,
carefully maintained, mix use housing
with nice restaurants and shops on
bottom, then maybe!

If you use this form to comment, it may be returned to:

City of Austin

Planning & Development Review Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810

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PUBLIC HEARING INFORMATION

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Case Number: C14-2014-0157

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: Dec 9, 2014, Planning Commission
Jan 29, 2015, City Council

IMOGENE HARPER

Your Name (please print)

8716 THURWOOD AUSTIN, TX 78759

Your address(es) affected by this application

Imogene Harper

Signature

11-20-14

Date

Daytime Telephone: 512-452-9535

Comments:

If you use this form to comment, it may be returned to:

City of Austin
Planning & Development Review Department
Sherri Sirwaitis
P. O. Box 1088
Austin, TX 78767-8810

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☐ I am in favor
☒ I object